



Seedorf

09/152,008  
Attorney Docket No.: ALCA1100-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

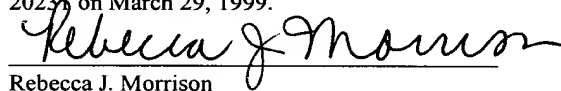
In the Application of: Paul T. Baniewicz  
Serial No. 09/152,008  
Filing Date: September 11, 1998  
Group Art No. 2731  
Title METHOD AND MESSAGE THEREFOR OF  
MONITORING THE SPARE CAPACITY OF A DRA  
NETWORK

**BOX MISSING PARTS**

Assistant Commissioner of Patents  
Washington, D.C. 20231

CERTIFICATION UNDER 37 CFR §1.10

I hereby certify that the documents listed below are being deposited with the United States Postal Service as "Express Mail" in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231 on March 29, 1999.

  
Rebecca J. Morrison

RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir:

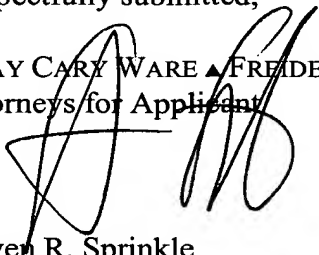
In response to the Notice to File Missing Parts of Application which was granted a Filing Date of September 11, 1998, and mailed to us on September 29, 1998, applicants submit herewith:

1. A copy of the Notice to File Missing Parts of Application;
2. A fully executed Declaration and Power of Attorney;
3. A Notification for Extension of Time; and
4. A Fee Transmittal form.

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-0456 of Gray Cary Ware & Freidenrich, LLP.

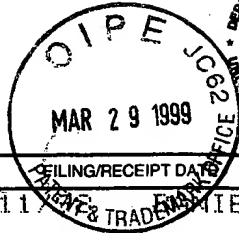
Respectfully submitted,

GRAY CARY WARE & FREIDENRICH, LLP  
Attorneys for Applicant

  
Steven R. Sprinkle  
Registration No. 40,825

Date: March <sup>29</sup>~~19~~, 1999

100 Congress Avenue  
Suite 1440  
Austin, Texas 78701  
(512) 457-7025  
(512) 457-7070



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/152,008	09/11/98	STEVEN R SPRINKLE	P ALCA1100-6

0262/0929

STEVEN R SPRINKLE  
GRAY CARY WARE AND FREIDENRICH  
100 CONGRESS AVENUE  
SUITE 1440  
AUSTIN TX 78701

NOT ASSIGNED

2731

DATE MAILED: 09/29/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

☐ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.

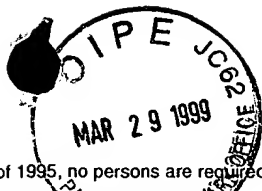
☒ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

*Shirley Thomas T-6*  
Customer Service Center  
Initial Patent Examination Division (703) 205-1000

9 TLWU11 00000133 500456 09152008 130.00 CH



<b>FEE TRANSMITTAL</b> <b>for FY 1999</b> <i>Patent fees are subject to annual revision. Small Entity payments <u>must</u> be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12.</i>		<b>Complete if Known</b>	
<b>TOTAL AMOUNT OF PAYMENT</b> (\$) <u>1,490<sup>00</sup></u>		Application Number	09/152,008
		Filing Date	September 11, 1998
		First Named Inventor	Paul T. Baniewicz, et al.
		Examiner Name	Unknown
		Group / Art Unit	2731
		Attorney Docket No.	ALCA1100-6

<b>METHOD OF PAYMENT</b> (check one)		<b>FEE CALCULATION</b> (continued)																																																																																																																																																																																													
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number <u>50-0456</u> Deposit Account Name <u>Gray Cary Ware &amp; Freidenrich LLP</u> <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17		3. <b>ADDITIONAL FEES</b>																																																																																																																																																																																													
2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		<table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Small Entity Fee Code</th><th>Fee (\$)</th><th>Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr><tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr><tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116</td><td>380</td><td>216</td><td>190</td><td>Extension for reply within second month</td><td></td></tr><tr><td>117</td><td>870</td><td>217</td><td>435</td><td>Extension for reply within third month</td><td></td></tr><tr><td>118</td><td>1,360</td><td>218</td><td>680</td><td>Extension for reply within fourth month</td><td>1360</td></tr><tr><td>128</td><td>1,850</td><td>228</td><td>925</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119</td><td>300</td><td>219</td><td>150</td><td>Notice of Appeal</td><td></td></tr><tr><td>120</td><td>300</td><td>220</td><td>150</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121</td><td>260</td><td>221</td><td>130</td><td>Request for oral hearing</td><td></td></tr><tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Typed or Printed Name	Steven R. Sprinkle	Reg. Number	40,825
Signature		Deposit Account User ID	50-0456
Date	3-29-99		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.